



Form PTO/SB/08A (Modified)

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet 1 of 4

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|                        |                  |
|------------------------|------------------|
| Application Number     | 09/759,684       |
| Filing Date            | January 10, 2001 |
| First Named Inventor   | Larry L. Hood    |
| Group Art Unit         | 3739             |
| Examiner Name          | David M. Shay    |
| Attorney Docket Number | 155694-0067      |

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**U.S. PATENT DOCUMENTS**

| Examiner<br>Initials | Cite<br>No. | U.S. Patent Document |              | Name of Patentee or<br>Applicant of Cited Document | Date of Publication<br>of Cited Document<br>MM-DD-YYYY | Pages, Columns,<br>Lines, Where Relevant<br>Passages or Relevant<br>Figures Appear |
|----------------------|-------------|----------------------|--------------|--|--|--|
|                      |             | Number               | Kind<br>Code |  |  |  |
| dm                   | 1.          | 6,306,075            |              | Shaddock   | 10-23-2001   |  |
| dm                   | 2.          | 5,899,920            |              | DeSatnick et al.                                   | 05-04-1999   |  |
| dm                   | 3.          | 5,957,921            |              | Mirhashemi et al.                                  | 09-28-1999   |  |
| dm                   | 4.          | 5,814,043            |              | Shapeton   | 09-29-1998   |  |
| dm                   | 5.          | 5,634,921            |              | Hood et al.  | 06-03-1997   |  |
| dm                   | 6.          | 5,571,101            |              | Ellman et al.                                      | 11-05-1996   |  |
| dm                   | 7.          | 5,695,492            |              | Brown  | 12-09-1997   |  |
| dm                   | 8.          | 6,056,739            |              | Klopotek   | 05-02-2000   |  |
| dm                   | 9.          | 5,423,815            |              | Fugo   | 06-13-1995   |  |
| dm                   | 10.         | 5,533,999            |              | Hood et al.  | 07-09-1996   |  |
| dm                   | 11.         | 6,213,997            |              | Hood et al.  | 04-10-2001   |  |
| dm                   | 12.         | 5,749,871            |              | Hood et al.  | 05-12-1998   |  |
| dm                   | 13.         | 5,376,089            |              | Smith  | 12-27-1994   |  |
| dm                   | 14.         | 5,277,696            |              | Hagen  | 01-11-1994   |  |
| dm                   | 15.         | 5,413,574            |              | Fugo   | 05-09-1995   |  |
| dm                   | 16.         | 5,437,657            |              | Epstein  | 08-01-1995   |  |
| dm                   | 17.         | 5,480,398            |              | Eggers   | 01-02-1996   |  |
| dm                   | 18.         | 5,261,906            |              | Pennino et al.                                     | 11-16-1993   |  |
| dm                   | 19.         | 5,346,491            |              | Oertli   | 09-13-1994   |  |
| dm                   | 20.         | 5,217,459            |              | Kamerling  | 06-08-1993   |  |
| dm                   | 21.         | 5,312,401            |              | Newton et al.                                      | 05-17-1994   |  |
| dm                   | 22.         | 5,190,517            |              | Zieve et al.                                       | 03-02-1993   |  |
| dm                   | 23.         | 5,779,696            |              | Berry et al.                                       | 07-14-1998   |  |
| dm                   | 24.         | 5,195,954            |              | Schnepp-Pesch et al.                               | 03-23-1993   |  |
| dm                   | 25.         | 5,071,418            |              | Rosenbaum  | 12-10-1991   |  |
| dm                   | 26.         | 5,025,811            |              | Dobrogowski et al.                                 | 06-25-1991   |  |
| dm                   | 27.         | 5,174,304            |              | Latina et al.                                      | 12-29-1992   |  |
| dm                   | 28.         | 6,099,522            |              | Knopp et al.                                       | 08-08-2000   |  |
| dm                   | 29.         | 4,988,334            |              | Hornlein et al.                                    | 01-29-1991   |  |
| dm                   | 30.         | 4,907,585            |              | Schachar   | 03-13-1990   |  |
| dm                   | 31.         | 5,035,695            |              | Weber, Jr. et al.                                  | 07-30-1991   |  |
| dm                   | 32.         | 4,931,047            |              | Broadwin et al.                                    | 06-05-1990   |  |
| dm                   | 33.         | 5,015,227            |              | Broadwin et al.                                    | 05-14-1991   |  |
| dm                   | 34.         | 4,898,169            |              | Norman et al.                                      | 02-06-1990   |  |
| dm                   | 35.         | 4,747,820            |              | Hornlein et al.                                    | 05-31-1988   |  |

Examiner: David M. ShayDate Considered: November 19, 2003

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| Examiner Name          | David M. Shay    |
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|-----------|-----|-----------|--|------------------|------------|--|
| <i>dm</i> | 36. | 5,054,906 |  | Lyons, Jr.       | 10-08-1991 |  |
| <i>dm</i> | 37. | 4,976,709 |  | Sand             | 12-11-1990 |  |
| <i>dm</i> | 38. | 5,137,530 |  | Sand             | 08-11-1992 |  |
| <i>dm</i> | 39. | 4,633,870 |  | Sauer            | 01-06-1987 |  |
| <i>dm</i> | 40. | 4,729,372 |  | L'Esperance, Jr. | 03-08-1988 |  |
| <i>dm</i> | 41. | 4,739,759 |  | Rexroth et al.   | 04-26-1988 |  |
| <i>dm</i> | 42. | 4,798,204 |  | L'Esperance, Jr. | 01-17-1989 |  |
| <i>dm</i> | 43. | 4,593,691 |  | Lindstrom et al. | 06-10-1986 |  |
| <i>dm</i> | 44. | 4,590,934 |  | Malis et al.     | 05-27-1986 |  |
| <i>dm</i> | 45. | 4,500,832 |  | Mickiewicz       | 02-19-1985 |  |
| <i>dm</i> | 46. | 4,461,294 |  | Baron            | 07-24-1984 |  |
| <i>dm</i> | 47. | 5,188,125 |  | Kilmer et al.    | 02-23-1993 |  |
| <i>dm</i> | 48. | 4,419,747 |  | Jordan           | 12-06-1983 |  |
| <i>dm</i> | 49. | 4,386,608 |  | Ehrlich          | 06-07-1983 |  |
| <i>dm</i> | 50. | 4,381,007 |  | Doss             | 04-26-1983 |  |
| <i>dm</i> | 51. | 4,301,802 |  | Poler            | 11-24-1981 |  |
| <i>dm</i> | 52. | 4,347,842 |  | Beale            | 09-07-1982 |  |
| <i>dm</i> | 53. | 4,805,616 |  | Pao              | 02-21-1989 |  |
| <i>dm</i> | 54. | 4,674,499 |  | Pao              | 06-23-1987 |  |
| <i>dm</i> | 55. | 4,326,529 |  | Doss et al.      | 04-27-1982 |  |
| <i>dm</i> | 56. | 3,963,030 |  | Newton           | 06-15-1976 |  |
| <i>dm</i> | 57. | 3,699,967 |  | Anderson         | 10-24-1972 |  |
| <i>dm</i> | 58. | 3,595,239 |  | Petersen         | 07-27-1973 |  |
| <i>dm</i> | 59. | 3,776,230 |  | Neefe            | 12-04-1973 |  |

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**FOREIGN PATENT DOCUMENTS**

| Examiner<br>Initials | Cite<br>No. | Foreign Patent Document |             |              | Name of Patentee or<br>Applicant of Cited<br>Document | Date of Publication<br>of Cited Document<br>MM-DD-YYYY | Pages, Columns,<br>Lines, Where<br>Relevant<br>Passages or<br>Relevant Figures<br>Appear |
|----------------------|-------------|-------------------------|-------------|--------------|---|--|--|
|                      |             | Office                  | Number      | Kind<br>Code |   |  |  |
|                      | 60.         |                         | WO/90/12618 |              | Raden   | 11-01-1990   |  |
|                      | 61.         |                         |             |              |   |  |  |

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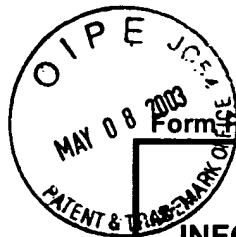
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TECHNOLOGY CENTER R3700**OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS**

| Examiner<br>Initials | Cite<br>No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
|----------------------|-------------|---|
|                      | 62.         | H. TREUMER ET AL., "Unipolar Scleral Diathermy for Changing Corneal Refraction," Department for Ophthalmology, University Eye Clinic Kiel   |
|                      | 63.         | H. TREUMER ET AL., "Temperature Controlled Bipolar Diathermy of the Sclera for Controlled Refractive Changes of the Cornea," Department of Ophthalmology University Eye Clinic Kiel, Fortschritte Ophthalmol (1989) 86: pgs. 584-588                            |
|                      | 64.         | MCDONNEL, Peter, et al. "Radial Thermokeratoplasty or Hyperopia," Refractive & Corneal Surgery, Vol. 5, Jan./Feb. 1989, pp. 50-54   |
|                      | 65.         | SEBBEN, Jack E. "Cutaneous Electrosurgery", pp. 14-15, 19-30, 42-43, 48, 52-55, 62-62, 77-83, 100-105.  |
|                      | 66.         | "Anatomy of the Eye", Physiology of the Eye, Chapter 1, pp. 3, 6-8, 21-22   |
|                      | 67.         | MENDEZ, Antonio "Radiofrequency for Hyperopia Treatment", Beverly Hills presentation, August 28, 1993   |
|                      | 68.         | VOYLES, Randel et al. "Biophysics of Electrosurgery", Excerpts from American College of Surgeons Meeting, San Francisco, CA, October 1993   |
|                      | 69.         | DOSS, James D., et al. "An Electrothermal Technique for the Alteration of Corneal Curvature", Los Alamos Scientific Laboratory Informal Report LA-7155-MS, February 1978, pp. 1-6   |
|                      | 70.         | FUGO, Richard J. "Bipokeratoplasty: Using Cautery to Advantage", Ocular Surgery News, February 1993, pp. 101 & 113  |
|                      | 71.         | TREMBLY, Stuart B. "Combined Microwave Heating and Surface Cooling of the Cornea", Transactions of Biomedical Engineering, Volume 38, No. 1, January 1991, pp. 85-91  |
|                      | 72.         | FELDMAN, Sandy T., et al. "Regression of Effect Following Radial Thermokeratoplasty in Humans", Refractive and Corneal Surgery, Volume 5, September/October 1989, pp. 289-291   |
|                      | 73.         | MCDONNELL, Peter J. "Radial Thermokeratoplasty for Hyperopia". Refractive and Corneal Surgery, Volume 5, January/ February 1989, pp. 50-54  |

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|  |     |  |
|--|-----|--|
|  | 74. | DOSS, James D., et al. "A Technique for the Selective Heating of Corneal Stroma", Contact Lens, Volume 6, Number 1, pp.13-17 |
|  | 75. |  |

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Sheet

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|----------------------|-------------|----------------------|--------------|--|--|--|
|                      |             | Number               | Kind<br>Code |  |  |  |
| <i>ms</i>            | 1.          | 4,955,378            |              | Grasso   | 09/11/1990   |  |

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Examiner:

*David M. Shay*

Date Considered:

*November 18, 2003*

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